



Glossary

Section R

Introduction

Following are explanations of some significant technology transfer terms to help you understand the elements of transferring technology. For precise, legal definition of these terms, please consult your local legal office.

Terms

Air Force Technology Transfer Program

Management Team - The Air Force office (the Air Force Technology Transfer Program Manager and staff) responsible for implementing policy directive and its instructions.

Air Force Technology Transfer Program

Manager - Appointed by the Technology Executive Officer (TEO), is the single focal point for the Air Force Technology Transfer Program. Is the agency representative to the Director, Defense Research and Engineering (DDR&E), Technology Transfer Working Group. Provides information to the General Accounting Office and the Department of Defense, as required. Also maintains the Air Force Technology Transfer Handbook and web site.

Air Force Technology Transfer Handbook -

The compendium of laws, directives, instructions, guidelines, technology transfer procedures and other information for the day-to-day operational execution of the technology transfer process.

Air Force Technology Transfer Integrated

Planning Team - A working level group, chaired by the Air Force Technology Transfer Program Manager, whose membership includes Air Force technology transfer focal points, the Air Force Technology Transfer Program Management Team, and various support personnel (including, but not limited to

legal, public affairs, financial management, etc.)

The group meets regularly and works together to resolve common problems, share best practices and lessons learned, and initiate program and process improvements.

Alliance - A group of companies, laboratories, and/or universities formed as a result of a common technology interest. Usually a non-binding document outlines the principles governing between partners. Alliances accomplish specific technology transfer efforts through more specific transfer mechanisms such as CRADAs or memoranda of understanding.

Application Assessment - A summary emphasizing potential applications of federal government research and development technological developments having potential use by state and local government or private industry.

Assistance Instruments - These legal instruments include “Other Transactions For Research” (10 U.S. Code (U.S.C.) §2371); “Technology Investment Agreement” (10 U.S.C. §2358, 10 U.S.C. §2371); “Grants” (10 U.S.C. §2358) and “Cooperative Agreements” (10 U.S.C. §2358). Assistance instruments enable the federal laboratory to partner with industry to transfer a thing of value for a public purpose with an investment by government. Federal Acquisition Regulations applies only as specified. Consult your local procurement office for assistance.

Commercial Test Agreement (CTA) - An agreement under 10 U.S.C. §2539b between any person or entity and an Air Force laboratory, center, or other testing facility for the purpose of providing to the person or entity, at a prescribed fee, Air Force services to test materials, equipment, models, computer software, and other items. NOTE: The use of Major Range Test Facility Bases is governed exclusively by DoD Directive 3200.11, “The Major Range and Test Facility Base,” as amended to implement 10 U.S.C. §2681.

Cooperative Research and Development

Agreement (CRADA) - An agreement between one or more federal laboratories and/or technical activities and one or more nonfederal parties. Under a CRADA, the government laboratories and/or technical activities shall provide personnel, services, facilities, equipment, or other resources with or without reimbursement (but not funds to the nonfederal parties). CRADAs are instruments that may be used in all aspects of a product and/or system life cycle where Research Development Test and Evaluation (RDT&E) activities occur. The nonfederal parties shall provide funds, personnel, services, facilities, equipment, or other resources toward the conduct of specified research and development efforts that are consistent with the missions of the laboratory and/or technical activity. The CRADA partners share in the intellectual property developed under the effort. This term does not include a procurement contract or cooperative agreement as used in 31 U.S.C. §6303, §6304, and §6305.

Copyright - Legal protection provided for original works of authorship fixed in a tangible medium of expression as provided for in Title 17 of the U.S. Code. Examples of copyrightable works: writings, paintings, movies, sculptures, and computer software. Federal employees may not copyright works in the performance of their official duties.

Defense Technical Information

Center (DTIC) - An element of the Defense Information Systems Agency (DISA), in support of our nation's warfighters and the defense community that stands behind them. DTIC provides access to and facilitates the exchange of scientific and technical information thereby contributing to the management and conduct of defense research, development, and acquisition efforts.

<http://www.dtic.mil/dtic/>

Disclosure of License Plans and Reports -

The Air Force may treat reports submitted by licensees, when they contain commercial or financial

information, as privileged information, which is not subject to disclosure (35 U.S.C. § 209, 15 U.S.C. § 3710a(c)(7), and 5 U.S.C. § 552). In the exercise of any nonexclusive license right retained by the Air Force on behalf of the U.S. Government, the Air Force shall not publicly disclose trade secrets or commercial or financial information that is privileged or confidential within the meaning of 5 U.S.C. § 552(b)(4) or which would be considered as such if it had been obtained from a nonfederal party.

Dual Use Science and Technology Program

(DUS&T) - This program is to mutually develop technology that has both military utility and sufficient potential to support a viable commercial industrial base. Objectives are (1) implement dual use technologies as part of the standard way of doing business, and (2) jointly fund dual use technology development with industry. www.afrl.af.mil/dualuse/index.htm

Education Partnership Agreement (EPA) -

An agreement under 10 U.S.C. § 2194 between educational institutions and Air Force scientific and engineering activity(ies) for the purpose of encouraging and enhancing study in scientific disciplines at all levels of education. The educational institutions are local educational agencies, colleges, universities, and any other nonprofit institutions that are dedicated to improving science, mathematics, and engineering education. Under such a partnership agreement, the director of an Air Force scientific and engineering activity may provide assistance to the educational institution by (1) loaning defense laboratory equipment to the institution, (2) transferring to the institution defense laboratory equipment determined by the director to be surplus, (3) making laboratory personnel available to teach science courses or to assist in the development of science courses and materials for the institution, (4) involving faculty and students of the institution in defense laboratory research projects, (5) cooperating with the institution in developing a program under which students may be given academic credit for work on defense laboratory research projects, and (6) providing

academic and career advice and assistance to students of the institution.

Federal Employee - Any civil service employee as defined in Section 2105 of Title 5, U.S.C., and any member of the uniformed services, and “special Government employees” as defined in Section 202 of Title 18, United States Code.

Federal Laboratory Consortium for Technology Transfer (FLC) - A nationwide network of federal agencies and their laboratories that provides the forum to develop strategies and opportunities for linking technology with the mission and the market place. www.federallabs.org

Independent Research and Development (IR&D) - A DoD sponsored program that encourages contractors to pursue independent research and development projects that are of potential interest to DoD, thus encouraging maintenance of a strong national technology base. www.afrl.af.mil/ird/index.htm

Invention - Any discovery or creation that is or may be patentable or otherwise protected under Title 35 of the United States Code.

Intellectual Property - A generic term encompassing the intangible property rights that the laws of patents, copyrights, trademarks, unfair competition, and trade secrets afford an owner or licensee. Those rights also cover technical data and computer software under government contracts.

Laboratory and/or Technical Activity - As broadly defined in 15 U.S.C. 3710a(d)(2)(A), the definition includes the following: A facility or group of facilities owned, leased, or otherwise used by the Air Force, a substantial purpose of which is the performance of research, development, or engineering by employees of the Air Force. That definition is not confined to those Air Force components that are formally titled “laboratories.” The intent of that definition is to encompass the wide range of organizations

and arrangements that function as laboratories and/or technical activities in Air Force research, development, and engineering programs. It shall include laboratories and/or technical activities and reference more diverse arrangements that shall provide a virtual laboratory capability. For example, an Air Force component may have a virtual lab involving a management function accomplished in an Air Force activity, plus a dispersed set of research activities to be accomplished by a variety of organizations outside of the sponsoring and/or managing activity. Those capabilities are included in test, logistics, and product centers; depots; arsenals; program offices; and all Air Force offices providing for RDT&E. This is consistent with 15 U.S.C. 3710a(d)(2)(A) which uses such encompassing terms as “facility.” This broad definition is in accordance with new DoD practices and applies to all citations of laboratories and/or activities.

Made - In relation to any invention means the conception or first actual reduction to practice of such invention.

National Technical Information

Service (NTIS) - An agency of the Department of Commerce authorized to carry out technology transfer-related activities on behalf of the U.S. Government.

Office of Research and Technology

Applications (ORTA) - An office required by 15 U.S.C. § 3710(b) to oversee the Domestic Technology Transfer Program at a laboratory and/or technical activity. Normally, an ORTA comprises individuals with expertise in marketing, public relations, intellectual property, patent law, and scientific and technical information.

Other Intellectual Property License Agreements - Pursuant to 15 U.S.C. §3710a(a)(2), Air Force activities may negotiate license agreements for government owned inventions made or intellectual property developed at the Air Force activity. These agreements must comply with 35 U.S.C. § 207, Patentability, Grant of Patents, and AFI 51-303,

Intellectual Property -- Patents, Patent Related Matters, Trademarks, and Copyrights.

Partnership Intermediary Agreement (PIA) -

A Memorandum of Understanding or contract pursuant to 15 U.S.C. § 3715 with a partnership intermediary, as defined by 15 U.S.C. § 3715(c), that provides for the partnership intermediary to perform services for the Air Force that increase the likelihood of success in the conduct of cooperative or joint activities of the Air Force with small businesses.

Patent - A grant from the federal government to an inventor. In exchange for the inventor providing an enabling disclosure of the invention and complying with other legal requirements, the government awards the inventor with the right to exclude others from making, using, or selling the claimed invention 20 years from filing the patent application.

Patent Application - A document submitted to the U.S. Patent and Trademark Office requesting the issuance of a patent to the applicant.

Patent License - A license granted by an owner or licensee to make, use or sell an invention or discovery described and claimed in an issued patent or pending patent application or to copy, sell, or otherwise use a copyrighted work.

Proprietary Information - Information that embodies trade secrets or confidential technical, business, or financial information provided (1) that information is not generally known or is not available from other sources without obligating confidentiality, (2) its owners have not made it available to others without obligating confidentiality, (3) it is not described in an issued patent or published, copyrighted work, or is not otherwise available to the public without confidentiality obligations, (4) its owners can withhold disclosure under 15 U.S.C. § 3710a (c) (7) (A) & (B) and the Freedom Of Information Authority, 5 U.S.C. §552 and following, and (5) proprietary labels or identifying markings.

Royalty - Compensation for the use of property, usually a patented invention or copyrighted material, expressed as a percentage of receipts from using the property or as an account per unit produced.

Small Business - A U.S. owned company with 500 or fewer employees.

Small Business Innovation Research (SBIR) -

The SBIR program is designed to stimulate technological innovation among small businesses while providing new, cost effective, technical and scientific solutions to challenging problems. Contracts are awarded based on scientific and technical merit for meeting Air Force research and development needs along with the proposer's potential of commercialization. www.afrl.af.mil/sbir/index.html

Special Purpose License (SPL) - A license to the government conveying a nonexclusive, nontransferable, irrevocable, worldwide, royalty-free license to practice and have practiced an invention for or on behalf of the government for research or other government purposes and conveying a nonexclusive, nontransferable, irrevocable, worldwide, royalty-free license to use, duplicate, prepare derivative works, distribute or disclose copyrighted works or proprietary information in whole or in part and in any manner, and to have or permit others to do so, for research or other government purposes. Research or other government purposes include competitive procurement, but do not include the right to have or permit others to practice an invention or use, duplicate, prepare derivative works, distribute or disclose copyrighted works or proprietary information for commercial purposes.

Scientific and Technical Information (STINFO) -

Information related to research, engineering, testing, evaluation, production, operation, use, and maintenance of military products, services, and equipment for military systems. STINFO includes all production, engineering and logistics information. The STINFO process is designed to exchange information promptly and effectively, thus improving

mission effectiveness; improving collection, dissemination, and application of information/data; increasing productivity by cutting time and costs; improving capabilities using new technologies; maximizing use of completed RDT&E acquisition, and logistics resources. An effort is not considered complete until it is documented and the results distributed to the appropriate activities.

www.dtic.mil/dtic/stinfo

Technology - The branch of knowledge that deals with industrial arts, applied science, engineering, etc.; a technological process, invention, method, or the like; and, the application of knowledge for practical ends.

Technology Investment Agreement (TIA) - An assistance instrument that can be used to carry out basic, applied, or advanced research projects when it is appropriate to use assistance instruments and the research is to be performed at least in part by for-profit firms, especially as members of consortia. TIAs allow DoD components to leverage for defense purposes financial investments made by for-profit firms in research related to commercial products and processes.

Technology Transfer (T², T2, or TT) -

The sharing of knowledge, expertise, facilities, equipment, and other resources, for application to military and non-military systems. Domestic technology transfer includes:

- (1) Spin-off activities that shall demonstrate DoD technology; e.g., commercial viability of technologies already developed or presently being developed for U.S. security purposes. The primary purpose of those activities, which encompass much technology transfer, shall be to promote and make available existing DoD-owned or -developed technologies and technical infrastructure to a broad spectrum of non-DoD applications
- (2) Dual-use science and technology and other activities that develop technologies that shall have both DoD and non-DoD applications.
- (3) Spin-on promotion activities that shall demonstrate

the U.S. security utility of technologies developed outside of the DoD. That goal shall be to incorporate the innovative technology into military systems to meet mission needs at a lower acquisition cost by taking advantage of the economies of scale by purchasing from a larger industrial base.

Technology Management Review (TMR) -

A scheduled program review conducted at field level to assess the progress, condition, projected status, and technology transfer potential of a research and development activity.

Trade Secret - Any formula, pattern, device, or compilation of information used in business that creates the opportunity for advantage over competitors who do not know or use it.

Trademark - A word, name, symbol, or device or any combination that distinguishes the products or services of a particular manufacturer or supplier from those of others.

U.S. Patent and Trademark Office (USPTO) - An agency of the Department of Commerce responsible for examining patent applications and issuing patents to successful applicants. The USPTO is located at 2900 Crystal Drive, Room 4B10, Arlington, Virginia 22202-3513. www.uspto.gov.

